

REMEDICATION AND REDEVELOPMENT (RR) NEWS FROM WISCONSIN DNR
April 12, 2000

The Departments of Commerce and Natural Resources have completed draft emergency rule Comm 46. This rule contains methodology for determining the risk to public health, safety, and welfare and to the environment posed by petroleum discharges. This emergency rule (with the DNR counterpart, NR 746) will replace the current emergency rule, NR 746, which expires on May 17, 2000. The rule also defines "high risk site", "medium risk site", and "low risk site" and establishes procedures for transferring sites from one agency to another when information relevant to the site classification becomes available. The rule also provides jointly developed requirements for determining when sites may close, including when remediation by natural attenuation may be approved as the final remedial action.

Revisions to the existing emergency rule that are incorporated in the new emergency rule include:

- deleting contaminant concentrations in groundwater in low-permeability materials from the table in the existing NR 746.06;
- adding a table of soil contaminant concentrations that are indicators of residual petroleum product in soil pores;
- revising the table of direct-contact soil contaminant concentrations;
- revising site closure requirements to require that monitoring establish declining groundwater concentrations in permeable material, using one of two statistical tests;
- allowing closure of clay-type sites after site investigation if no risk factors exist;
- collecting data during the site investigation to determine whether the groundwater plume margin is expanding; and
- providing for interagency staff training.

Two public meetings will be held to discuss the rule and to answer questions on the rule. Those meetings will be held April 18 in the Ballroom of the Holiday Inn-East, 3841 E. Washington Ave., Madison, from 1 to 4 p.m.; and April 20 at the Fitchburg Community Center, 5510 Lacy Road, Fitchburg, from 9 to noon. The draft emergency rule, Comm 46, along with an agenda for the public meetings can be found on the DNR's web site at <http://www.dnr.state.wi.us/org/aw/rr/index.htm> Questions may be directed to Terry Evanson at 608-266-0941, or evanst@dnr.state.wi.us

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